

REMARKS

Claims 1-25, 27-32, and 34-83 are pending, with claims 1, 12, 22, 29, 36, and 56 being independent. Claims 26 and 33 have been cancelled, and claims 60-83 have been added. Claims 1-7, 10-17, 19, 20, 22-25, 27, 29-32, 34-47, and 56 have been amended. Support for the present amendments and the new claims may be found in the application at, for example, page 10, line 26 to page 12, line 17. No new matter has been introduced.

Claim Rejections – 35 U.S.C. § 102(b)

Independent claims 1, 12, 22, 29, 36, and 56, along with their dependent claims 2-11, 13-21, 23-28, 30-35, 37-55, and 57-59 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Number 5,850,218 (“LaJoie”). With respect to canceled claims 26 and 33, this rejection is rendered moot. With respect to the remaining claims, Applicants have amended independent claims 1, 12, 22, 29, 36, and 56 to overcome this rejection.

Independent claim 1, as amended, recites a system that includes a display interface for outputting display data and an input for receiving multiple viewer commands over a predetermined interval of time. Each of the multiple viewer commands being a command to invoke viewing of content at the time of command entry. The content includes television channel content, web page content, or e-mail content. The system also includes an interface for sending the multiple viewer commands, received over the predetermined interval of time, for analysis, the analysis including a determination of viewing preferences for a viewer based on the multiple viewer commands. The system further includes an interface for receiving customized electronic program guide (EPG) data, the customized EPG data being determined based on the viewing preferences of the viewer and a processor for creating a customized EPG display from the received customized EPG data for output to the display interface.

Applicants respectfully request reconsideration and withdrawal of the rejection of independent claim 1, and its dependent claims, because LaJoie fails to describe or suggest “an interface for receiving customized electronic program guide (EPG) data, the customized EPG data being determined based on viewing preferences of the viewer, [which is in turn determined

based on multiple viewer commands received over the predetermined interval of time, each of the multiple viewer commands being a command to invoke viewing of content at the time of command entry, wherein the content includes a television channel content, a web page content, or an e-mail content] and a processor for creating a customized EPG display from the received customized EPG data for output to the display interface” (emphasis added), as recited in claim 1.

Instead, LaJoie relates to an interactive program guide with a default selection control. Title. The interactive program guide allows a user to configure the set-top terminal according to preferences of the user. Col. 6, lines 4-7. To this end and as shown in FIG. 9 of LaJoie, the interactive program guide provides the user with a channel setting menu (190). The channel setting menu (190) allows the user of the set-top terminal (6) to assign channels to a favorite channel list; block channels based upon channel number, and record a particular program. Col. 19, lines 39-40. To illustrate, the user enables channel settings menu 190 by pressing a setting key (188) on set-top terminal (6) or its remote control (59) from any television display (186). Col. 19, lines 41-44. After enabling the channel settings menu (190), the user may add the current channel (e.g., KCBS) to the favorite channel list by selecting setting (200). Col. 19, lines 47-54. To select the setting (200), the user highlights the setting (200) by positioning the setting (200) within the cursors (198) and (216) using arrow keys (128). *Id.* The user enables the setting (200) by pressing left and right arrow keys (128). Col. 19, line 65 to col. 20, line 1. Consequently, the current channel (e.g., KCBS) is added to the favorite channel list.

Although, in this manner, LaJoie appears to teach customizing a channel setting menu of an interactive program guide (190), it does so by offering to the user specific default commands, commands specifically designed for changing the settings. Notably, each default command does not allow the user to view TV channel content, web page content, or e-mail content upon selection of the default command. Rather, each default command merely allows the user to customize the program guide based on the setting associated with the command (e.g., the favorite default command allows the user to add a channel to a favorite channel list). As such, the default commands or settings taught in LaJoie do not invoke viewing of content at the time of command entry, where the content, for example, may include television channel content.

Therefore, Applicants respectfully assert that LaJoie fails to describe or suggest “an interface for receiving customized electronic program guide (EPG) data, the customized EPG data being determined based on viewing preferences of the viewer, [which is in turn determined based on multiple viewer commands received over the predetermined interval of time, each of the multiple viewer commands being a command to invoke viewing of content at the time of command entry, wherein the content includes a television channel content, a web page content, or an e-mail content] and a processor for creating a customized EPG display from the received customized EPG data for output to the display interface” (emphasis added), as recited in claim 1.

For at least these reasons, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 1, along with its dependent claims.

Independent claim 12 recites a method for displaying an EPG. The method includes, among other features, receiving customized EPG data based on the viewing preferences of the viewer, [which is determined based on the multiple viewer commands received over a predetermined interval of time, each of the multiple viewer commands being a command to invoke viewing of content at the time of command entry, wherein the content includes a television channel content, a web page content, or an e-mail content] and creating a customized EPG display from the received customized EPG data. Therefore, for at least the reasons describes above with respect to claim 1, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 12, along with its dependent claims.

Independent claim 22 recites a method for creating an EPG. The method includes receiving multiple viewer commands to a set top box over a predetermined interval of time, each of the multiple viewer commands being a command to invoke viewing of content at the time of command entry, wherein the content includes television channel content, web page content, or e-mail content. The method also includes analyzing the multiple viewer commands to determine viewing preferences of a viewer based on the multiple viewer commands and customizing content associated with the EPG based on the viewing preferences of the viewer. Therefore, for

at least the reasons described above with respect to claim 1, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 22, along with its dependent claims.

Independent claim 29 recites a host comprising an interface for receiving multiple set top box commands over a predetermined interval of time, each of the multiple set up box commands being a command to invoke viewing of content at the time of command entry. The content includes television channel content, web page content, or e-mail content. The host also includes a processor for analyzing the multiple set top box commands to determine viewing preferences of a viewer based on the multiple set top commands, and a processor for determining customized data for an electronic program guide (EPG) based on the viewing preferences of the subscriber. Therefore, for at least the reasons presented above with respect to claim 1, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 29, along with its dependent claims.

Independent claim 36 recites a system that includes, among other features, a first processor for analyzing the multiple viewer commands [received over a predetermined interval of time, each of the multiple viewer commands being a command to invoke viewing of content at the time of command entry, wherein the content includes television channel content, web page content, or e-mail content] to determine viewing preferences of a viewer based on the multiple viewer commands. The system also includes a second processor for creating a customized electronic program guide (EPG) display based on the viewing preferences of the viewer. Therefore, for at least the reasons presented above with respect to claim 1, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 36, along with its dependent claims.

Independent claim 56 recites a system that includes, among other features, a display interface configured to output display data and an input interface configured to receive multiple viewer commands over a predetermined interval of time, each of the multiple viewer commands being a command to invoke viewing of content at the time of command entry, wherein the content includes television channel content, web page content, or e-mail content. The system also includes a processor configured to analyze the multiple viewer commands to create

customized electronic program guide (EPG) data and a customized EPG display based on the customized EPG data for output to the display interface. Therefore, for at least the reasons presented above with respect to claim 1, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 56, along with its dependent claims.

New Claims

Claims 60-83, directly or indirectly, depend from claims 1, 12, 22, 29, 36, and 56, and as such they are believed to be allowable for at least the reasons presented above with respect to claims 1, 12, 22, 29, 36, and 56.

Conclusion

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

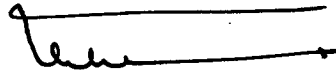
The fee in the amount of \$1,220 for payment of the Petition for a One-Month Extension of Time fee \$120 and excess claims fee \$1,100 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

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Respectfully submitted,

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